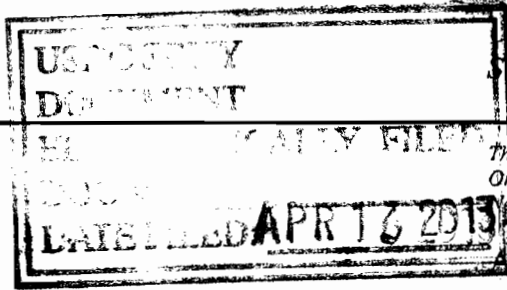


U.S. Department of Justice

United States Attorney  
Southern District of New YorkThe Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

April 11, 2013

**VIA FACSIMILE**

The Honorable George B. Daniels  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. Rogelio Leyba, 13 Cr. 055 (GBD)

**SO ORDERED**  
The conference is adjourned to  
June 3, 2013 at 10:00 a.m.  
*George B. Daniels*  
**HON. GEORGE B. DANIELS**

Dear Judge Daniels:

I write on behalf of both parties to request an adjournment of the conference currently scheduled for next Tuesday, April 16 in the above-captioned matter. Since the parties last appeared before Your Honor in January 2013, the defendant has retained new counsel, Daniel Kratka, Esq. Mr. Kratka and I have just begun conversations regarding a potential disposition of this matter, conversations we do not expect to be able to be complete by April 16. Accordingly, and so as to permit those talks to continue, the parties would request a brief adjournment of approximately 30 days of next week's conference.

Should Your Honor be inclined to grant the adjournment, the Government would also seek an exclusion of time from Speedy Trial Act calculation between April 16, 2013 and the new conference date for substantially the reasons set forth above. See 18 U.S.C. 3161(h)(7)(A). I have spoken with Mr. Kratka about this additional request and understand that, on behalf of the defendant, he consents to it. A proposed order excluding time is attached for the Court's consideration.

Respectfully submitted,

PREET BHARARA  
United States Attorney

By: 

Edward B. Diskant  
Assistant United States Attorney  
(212) 637-2294

cc: Daniel Kratka, Esq. (By electronic-mail)